

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

Official Minutes

April 4, 2003

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
JEFFERSON CITY, MISSOURI, ON FRIDAY, APRIL 4, 2003**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission held on Friday, April 4, 2003, in Jefferson City, Missouri, was called to order at 9:30 a.m. by the Chairman, Mr. Ollie W. Gates. The following members were present: Mr. W. L. (Barry) Orscheln, Vice Chairman, Ms. Marjorie B. Schramm, Mr. Bill McKenna, Mr. James B. Anderson, and Mr. Duane S. Michie.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Mr. Rich Tiemeyer, Chief Counsel for the Commission; and Mrs. Mari Ann Winters, Secretary to the Commission, were present on Friday, April 4, 2003. Mr. Henry Hungerbeeler, Director of the Missouri Department of Transportation, was absent.

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*"Department" or "MoDOT" herein refers to Missouri Department of Transportation.
"Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.*

CLOSED MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo., including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(11), (12) – Specifications for competitive bidding, sealed bids, or negotiated contracts.
2. Section 610.021(1) – Legal actions and attorney-client privileged communications.
3. Section 610.021(3), (13) – Personnel administration regarding particular employees.

The Commission met in the Closed Meeting from 8:30 a.m. until 9:30 a.m.

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APPROVAL OF MINUTES, REGULARLY SCHEDULED HIGHWAYS AND TRANSPORTATION COMMISSION MEETING, MARCH 7, 2003

Upon motion duly made and seconded, the Commission unanimously approved the minutes of its March 7, 2003, regularly scheduled meeting. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

In order to make the most efficient use of Commission meeting time and to ensure the Commission members are well informed on issues requiring their action, the staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items on the Commission meeting agenda. Those items considered by the staff to be of a routine or noncontroversial

nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

No items were removed from the consent agenda. Upon motion by Commissioner McKenna, seconded by Commissioner Schramm, the consent agenda items were unanimously approved by a quorum of Commission members present. Commissioner McKenna abstained from voting on the Approval of Location and Design for I-70, St. Louis City, Job No. J6I0738, and Commissioner Orscheln abstained from voting on Federal FY 2003 Non-Primary Airport Entitlement Program for Multimodal Operations.

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RESOLUTION ACKNOWLEDGING SERVICE TO MISSOURI AND EXTENDING 93RD BIRTHDAY CONGRATULATIONS

The Commission unanimously adopted the following resolution:

WHEREAS, Jay B. Dillingham will turn 93 years of age on March 8, 2003; and

WHEREAS, Mr. Dillingham has contributed greatly to the transportation system in Missouri serving as Chairman of the Highways and Transportation Commission from February 22, 1978, to December 22, 1983; and

WHEREAS, Mr. Dillingham led the Commission and the Department of Transportation with integrity, boldness, and expertise, receiving great esteem from throughout the state; and

WHEREAS, Mr. Dillingham exhibited appreciation, compassion, and concern for MoDOT employees resulting in long-lasting admiration and friendship; and

WHEREAS, Mr. Dillingham continues his selfless and tireless effort to serve his fellow Missourians by speaking out in support of transportation improvements;

NOW, THEREFORE, LET IT BE RESOLVED that the Missouri Highways and Transportation Commission and MoDOT staff use this means to say, “Thank you, Jay, for your continued efforts on our behalf,” and “Congratulations and best wishes as you celebrate your 93rd birthday!!”

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**RESOLUTION EXPRESSING APPRECIATION TO
DR. STUART I. GREENBAUM FOR HIS SERVICE ON THE MISSOURI
TRANSPORTATION FINANCE CORPORATION BOARD OF DIRECTORS**

The Commission unanimously adopted the following resolution:

WHEREAS, Dr. Stuart I. Greenbaum was appointed to the Missouri Transportation Finance Corporation Board of Trustees on May 1, 1998 and served in that capacity until May 1, 2003; and

WHEREAS, Dr. Greenbaum brought to the Board of Directors extensive financial and business knowledge and expertise having served as Dean of the John M. Olin School of Business at Washington University; and

WHEREAS, during his tenure he oversaw capitalization of a new federally-created State Infrastructure Bank to a level of over \$60 million; and

WHEREAS, his expertise contributed to successfully leveraging State Infrastructure Bank funds through loans to local governmental entities, which resulted in acceleration of over \$290 million in transportation improvements throughout the state; and

WHEREAS, Dr. Greenbaum gave unselfishly of his personal time to diligently review all loan applications and contribute significantly to discussions leading to decisions thereon;

NOW, THEREFORE, LET IT BE RESOLVED that the Missouri Highways and Transportation Commission publicly express its appreciation and gratitude to Dr. Greenbaum for the public service he has performed for the betterment of the citizens of Missouri.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Dr. Greenbaum so he will have a permanent record of the sincere appreciation of the Commission for his efforts on their behalf.

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**RESOLUTION EXPRESSING APPRECIATION TO
STEPHEN C. BRADFORD FOR HIS SERVICE ON THE MISSOURI
TRANSPORTATION FINANCE CORPORATION BOARD OF DIRECTORS**

The Commission unanimously adopted the following resolution:

WHEREAS, Mr. Stephen C. Bradford was appointed to the Missouri Transportation Finance Corporation Board of Trustees on March 3, 1998 and served in that capacity until March 3, 2003; and

WHEREAS, Mr. Bradford brought to the Board of Directors extensive financial and business knowledge and expertise; and

WHEREAS, during his tenure he oversaw capitalization of a new federally-created State Infrastructure Bank to a level of over \$60 million; and

WHEREAS, his expertise contributed to successfully leveraging State Infrastructure Bank funds through loans to local governmental entities, which resulted in acceleration of over \$290 million in transportation improvements throughout the state; and

WHEREAS, Mr. Bradford gave unselfishly of his personal time to diligently review all loan applications and contribute significantly to discussions leading to decisions thereon;

NOW, THEREFORE, LET IT BE RESOLVED that the Missouri Highways and Transportation Commission publicly express its appreciation and gratitude to Mr. Bradford for the public service he has performed for the betterment of the citizens of Missouri.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Mr. Bradford so he will have a permanent record of the sincere appreciation of the Commission for his efforts on their behalf.

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REPORTS OF COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has five committees (Audit Committee, Bond Financing Committee, Building Committee, Compensation Committee, and Legislative Committee) and elects Commission representatives to two boards (Missouri Transportation Finance Corporation and Highway and Transportation Employees' and Highway Patrol Retirement System). The following committee reports were made during the April 4, 2003, meeting.

Audit Committee

Commissioner Anderson reported that the Audit Committee had met on April 3, 2003, and reviewed three internal audits. One of the audits pertaining to verifying the accuracy of collecting and reporting data used in developing management performance measures; the second pertained to verifying the accuracy of dial-up service costs from the State Data Center; and the third pertained to an audit of MoDOT use of the aircraft, which had been requested by the Audit Committee.

Commissioner Anderson reported that the audit on the use of MoDOT aircraft found that all flights during the audit period (January 2002 through January 2003) pertained to official MoDOT business. The audit recognized that the efficiencies gained through traveling by air were realized by opportunities for those traveling to provide increased service. The Audit Committee is currently working with MoDOT management staff to develop some written guidelines for the use of state-owned aircraft. While the staff is seeking to increase the objectivity element for determining the appropriateness of flights, it realizes that subjectivity must be allowed for management discretion.

The audit determined that improvements in the airplane usage process could be made by consistently documenting details pertaining to flights and providing the Commission with a copy

of the flight logs on a quarterly or semi-annual basis. In addition, it appeared the rate calculation being used by MoDOT may be inconsistent with that used by other state agencies and/or the private sector. That issue will be reviewed further.

Commissioner Anderson reported that as a result of the internal audit, the Audit Committee had reaffirmed use of state-owned aircraft as an appropriate means for travel for MoDOT business. The Commission expressed support of the position taken by the Audit Committee.

Legislation

Commissioner McKenna reported that both the House and Senate had passed bills intended to increase MoDOT accountability. Further work will take place as the General Assembly attempts to compromise on differing issues within the bills.

Commissioner McKenna reported that Senator Bond is seeking levels of highway funding beyond the Commissioners' earlier expectations; the outcome of his efforts should be known by October 2003.

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REVENUE PROJECTIONS

Commissioner Anderson noted that since the Commission's last meeting, activity has taken place on the federal level to indicate that increased funding may become available for transportation programs. He said if the staff's schedule for updating revenue projections was in the near future, that consideration be given to accelerating the revenue projection update in order for the results thereof to be considered in preparation of the Statewide Transportation Improvement Program currently being developed for presentation to the Commission in May 2003 with final approval thereof in July 2003.

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REVIEW OF PROJECT SCOPE

Commissioner Michie asked the staff to review all projects to determine if a lesser scope (such as from freeway to expressway, or expressway to super two-lane) would address current traffic and safety issues and thereby allow an increased number of improvements to be made at the earliest possible time.

Chief Engineer Kevin Keith said such a review had been initiated. He will advise the Commission of its outcome.

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PERFORMANCE MEASURES

Kevin Keith, Chief Engineer, presented the Commission with samples of performance measures. He stated that the staff is currently in the process of determining which performance measures are most appropriate and is seeking input from the Commission and others before finalizing the measures. Mr. Keith noted that the reports would be used for management activities and for communication to the Missouri citizens about MoDOT's progress and challenges.

Commissioner Anderson expressed concern with the number of different measures being proposed and asked the staff to attempt to reflect the simplicity and conciseness of the strategic plan in its performance measures by prioritizing and crystallizing the draft measures.

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HEARING – TRANSPORTATION ISSUES IN THE JEFFERSON CITY/COLE COUNTY AREA

Chris Yarnell, Public Works Director, Cole County, appeared with a delegation from Jefferson City to discuss transportation in the Jefferson City/Cole County area. He referred to road improvement projects underway or recently completed, and he asked the Commission to consider the following improvements.

Proposed Interstate Route 70 Loop - Mr. Yarnell asked the Commission to consider marking Route 54 from I-70 at Kingdom City to Jefferson City and Route 63 from Jefferson City to I-70 at Columbia as an Interstate Route 70 Loop. He noted that improvements would have to be made on those routes to bring them up to interstate standards. Mr. Yarnell said discussions are ongoing with communities that would be affected by the interstate loop marking.

Four-Lane Route 50 from Sedalia to Union - Mr. Yarnell said that upgrading Route 50 from Sedalia to Union continues to be a priority. He said improving Route 50 to four lanes will relieve traffic during unexpected closures and future reconstruction of Interstate Route 70. He said Route 50 could not withstand I-70 detour traffic loads without improvement.

Access to Prison Redevelopment Property - Mr. Yarnell noted that Jefferson City has been working on a Prison Redevelopment Master Plan. Redevelopment will begin on the 142-acre site in 2004. He said the \$1 billion redevelopment plan will result in 2 million square feet of office space, 3,850 new parking spaces, 10,000 people per day site population, a new federal courthouse, a county justice center, a state health laboratory, a DNR state headquarters, a Corrections state headquarters, 900 hotel rooms, 125,000 square feet assembly facility, and a 3,000-seat auditorium. Mr. Yarnell stated that currently traffic must go through residential areas to access the site. He stated that the county and city would like to play lead roads in determining a solution to the access issue.

Seek Solution to Route 50 At-Grade Intersections - Mr. Yarnell noted that Route 50 (Rex M. Whitton Expressway) through Jefferson City has five at-grade intersections. Four of the intersections have turning capacity issues and all five of them have lane capacity issues. A recent countywide consultant study found the intersections on Route 50 to be the highest priority county concern. He extended an offer from the county to pay for a study of Route 50 from Missouri Boulevard to Clark Avenue to determine if solutions to the intersection problems and access to the prison redevelopment area can be identified. Mr. Yarnell said the consultant study also determined that continuation of Route 179 from Route B to Route 50 does not appear to be a good expenditure of taxpayer dollars at this time.

Chief Engineer Kevin Keith expressed appreciation for the local area's offer to participate in the cost of a study on Route 50 and the staff will work with Mr. Yarnell further toward this end.

Mr. Keith said proceeding with work to four-lane Route 50 from Union to Sedalia and the I-70 loop proposal would be more difficult to accomplish given other statewide priorities and MoDOT's limited resources.

The Commission thanked the delegation for the presentation.

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OFFICE OF THE INSPECTOR GENERAL – 2002 REPORT

The report from the Office of the Inspector General for 2002 was withdrawn.

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**MISSOURI TRANSPORTATION FINANCE CORPORATION,
STATE INFRASTRUCTURE BANK REPORT,
AND APPROVAL OF LOAN FOR THE HIGHWAY 63 TRANSPORTATION
CORPORATION PROJECT**

Chief Operating Officer Pat Goff asked Mike Golden, Chief Financial Officer, to discuss the Missouri Transportation Finance Corporation (MTFC). The MTFC provides loans to communities and corporations to accelerate transportation improvements that are outside the Department's current funding capabilities. Mr. Golden said the MTFC helps bridge the gap between transportation needs and investments that turn those needs into reality. He said Missouri is one of 32 states with infrastructure banks like the MTFC. Missouri was one of four states to receive federal seed money in the mid-1990s to implement infrastructure banks. Mr. Golden said to date the MTFC has helped accelerate more than \$303 million in transportation improvements. He said the MTFC is audited annually and has received a "clean" audit each year.

On behalf of the Director, Mike Golden recommended approval of a MTFC direct loan to the Missouri Highways and Transportation Commission, and requested authority to enter into related loan documents.

Upon motion by Commissioner Michie, seconded by Commissioner Orscheln, the Commission agreed to provide for the design, acquisition of right-of-way, construction, construction management and pavement warranty of two additional lanes to the existing lanes of Highway 63, located between bypasses proposed for the City of Kirksville and the City of Macon. The Commission also agreed to finance the project costs, estimated to be \$37 million, in return for which the Highway 63 Transportation Corporation agreed to make payments of up to \$11.5 million to the Commission, beginning in 2004. A portion of the project costs will be financed from funds readily available to the Department. To finance the balance of the project

costs, the Commission applied to the MTFC for financial assistance in the form of a direct loan in the amount of \$24,256,000. The MTFC board approved the Commission's loan request at its March 2003 meeting and established the terms and conditions.

The loan payments will be programmed in the STIP in the years in which payments are scheduled and will be derived from a \$15 to \$20 million annual allocation for cost share projects.

The Commission approved the terms and conditions of the MTFC loan and authorized the Chief Operating Officer or the Chief Financial Officer to enter into related loan documents, subject to approval as to form by the Chief Counsel or his designated assistant counsel.

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AUTHORIZATION TO REVISE THE STATEWIDE HOURLY RATE ENGINEERING SERVICE AGREEMENTS

On behalf of the Director, Dave Nichols, Director of Project Development, recommended modification of the process for hourly rate agreements as approved by the Commission at its April 7, 2000 meeting. This process allows professional services to be provided to each district and headquarters on an as-needed basis.

Mr. Nichols proposed that the staff, with review and approval by its Professional Services Committee (PSC), will seek consultant services on an hourly rate basis to provide engineering related services on highway projects. The PSC is comprised of the Director of Project Development (chair), State Design Engineer and State Bridge Engineer. The staff may execute master agreements (for a period not to exceed three years with options for one-year extensions) with the consultant to establish billing rates and types of services to be provided. District Engineers or Functional Unit Leaders may execute individual memorandums of understanding (MOU) for services to be performed in their respective district or functional unit, subject to our

approved business practices. An MOU has a contract ceiling of \$100,000. Supplements to an original MOU contract require Commission approval.

The Commission, through its adoption of the State Transportation Improvement Program (STIP), established those projects on which consultant services could be obtained with a few exceptions. Some services are required before projects are placed on the STIP. Any MOU for a project not on the STIP will require review, authorization and execution by the PSC. The PSC shall only approve MOUs that are for engineering related services on highway projects. Additionally, through the Commission's adoption of the annual budget for MoDOT operations, including specific approval of the design/bridge consultant activity item, a total cost for engineering service is established. The staff will provide quarterly reports on the design/bridge consultant budget apprising the Commission of the engineering services agreements executed in the preceding quarter, all current engineering services agreements and the annual engineering consulting services expenditures to date compared to the annual amount approved by the Commission in MoDOT's Operating Budget for such expenditures.

Mr. Nichols recommended the Commission authorize continued use of hourly rate contracts for necessary consultant services, under the over-sight of the Professional Services Committee, with authorization for the Director, Chief Engineer, Director of Project Development, respective District Engineer, or respective Functional Unit Leader to execute individual MOUs and supplements. The \$100,000 ceiling for an MOU will continue to be used. Supplements to MOUs will be approved by the Professional Services Committee within the design/bridge consultant budget authority and subject to MoDOT approved business practices.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**ADDITION TO STATE HIGHWAY SYSTEM,
ROUTE U, HENRY COUNTY**

On behalf of the Director, Sabin Yanez, District 4 Engineer, recommended approval from the Henry County Commission to take over ownership and maintenance responsibility for 5.2 miles of county road that is a link between State Routes U and Z. This county road contains an 880-foot bridge across Harry S. Truman Reservoir. In return, the Henry County Commission will take over ownership and maintenance responsibility for 2.0 miles of Route HH and 1.0 mile of Route JJ. The Henry County Commission will also (1) accept ownership of 5.7 miles of roadway that was previously transferred to the county for maintenance only and (2) accept ownership and maintenance responsibility for another 5.4 miles of roadway in the county that was previously abandoned by the Commission.

Mr. Yanez recommended the Commission (1) approve the transfer of ownership of 5.2-mile section owned by county to the state highway system (this section will become an extension of Route U); (2) approve the transfer of 2.0 miles of Route HH and 1.0 mile of Route JJ to the Henry County Commission; (3) approve the transfer of ownership of 5.7 miles of roadway currently owned by the Commission, but maintained by the County, to the Henry County Commission; and (4) approve the transfer of maintenance responsibility and ownership of 5.4 miles of roadway in Henry County that was previously abandoned by the Commission, to the Henry County Commission.

Mr. Yanez also recommended the Commission authorize the Director, Chief Engineer, or Chief Operating Officer to execute the agreement with the Henry County Commission for the transfer of these roadways, subject to approval as to form by the Chief Counsel's Office.

Via approval of the consent agenda, the Commission unanimously approved the recommendations.

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ROUTE MARKING CHANGE, ROUTE 72, MADISON COUNTY

On behalf of the Director, Scott Meyer, District 10 Engineer, advised that Route 72 presently passes through Fredericktown on Main Street and is maintained by the Commission under an agreement with the city. Main Street (Route 72) is routed around the Court House Square. In order for the city to limit large trucks on Main Street, the city has requested that Route 72 from Armory Street to S. Mine LaMotte Street be shifted one block south and marked over College Avenue to avoid the square. The city will take over maintenance responsibilities for Main Street from Armory to S. Mine LaMotte Street and for S. Main Street from the square to College Avenue. The Commission will be responsible for the maintenance of the thruway surface only of the relocated section of Route 72 in Fredericktown.

Mr. Meyer recommended approval of the route marking change for Route 72 in Fredericktown.

Via approval of the consent agenda, the Commission unanimously approved the recommendation and authorized the Director, Chief Engineer or Chief Operating Officer to modify the existing maintenance contract with the City of Fredericktown to cover maintenance

responsibilities for streets carrying Route 72 through Fredericktown, subject to approval as to form by the Chief Counsel's Office.

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**FEDERAL FY 2003 NON-PRIMARY AIRPORT ENTITLEMENT
PROGRAM FOR MULTIMODAL OPERATIONS**

On behalf of the Director, Brian Weiler, Multimodal Operations Director, requested authority to (1) amend the Multimodal Operations budget to include \$5.4 million in Fiscal Year 2003 federal non-primary airport entitlement funds and (2) disburse the funds to the cities noted below. Through federal legislation, non-primary entitlement funds are directed to general aviation airports listed within the National Plan of Integrated Airport System. The funding levels are established through this federal legislation, and MoDOT acts as a pass-through agency for the program funds.

Cape Girardeau	150,000	Moberly	150,000
Cassville	150,000	Mosby (Clay County)	150,000
Chillicothe	150,000	Neosho	150,000
Clinton	150,000	Nevada	150,000
Dexter	150,000	Perryville	150,000
Farmington	150,000	Piedmont	150,000
Fulton	150,000	Poplar Bluff	150,000
Hannibal	150,000	Rolla/Vichy	150,000
Higginsville	150,000	Sedalia	150,000
Jefferson City	150,000	Sikeston	150,000
Kaiser (Lee C Fine)	150,000	St. Charles County (Smartt)	150,000
Kansas City (Downtown)	150,000	St. Joseph	150,000
Kirksville	150,000	St. Louis (Creve Coeur)	150,000
Lee's Summit	150,000	St. Louis County (Spirit)	150,000
Malden	150,000	Sullivan	150,000
Marshall	150,000	Warrensburg (CMSU)	150,000
Maryville	150,000	Washington	150,000
Mexico	150,000	West Plains	150,000

Via approval of the consent agenda, the Commission unanimously approved the recommendation. Commissioner Orscheln abstained from voting on this item as it pertained to the airport facility at Moberly.

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**MISSOURI TRANSPORTATION FINANCE CORPORATION,
APPROVAL OF THE FIFTH AMENDED AND RESTATED BYLAWS**

On behalf of the Director, Mike Golden, Chief Financial Officer, presented the Fifth Amended and Restated Bylaws (Bylaws) of the Missouri Transportation Finance Corporation (MTFC). The Bylaws reduce the total number of MTFC directors from eight to seven. The reduction is accomplished by changing the number of at-large board members from three to two.

On March 5, 2003, the MTFC Board adopted the Fifth Amended and Restated Bylaws.

Via approval of the consent agenda, the Commission unanimously approved the Bylaws as presented.

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**MISSOURI TRANSPORTATION FINANCE CORPORATION,
APPROVAL OF BOARD MEMBER**

On behalf of the Director, Mike Golden, Chief Financial Officer, presented the Commission with the Missouri Transportation Finance Corporation (MTFC) Board of Directors' election of Dr. Thomas G. Johnson to fill the vacancy of the at-large MTFC board position. Dr. Thomas G. Johnson has a joint appointment as the Frank Miller Professor of Agricultural Economics and professor in the Harry S. Truman School of Public Affairs at the University of Missouri-Columbia. He is Director of the Community Policy Analysis Center.

On March 5, 2003, the MTFC Board elected Dr. Thomas G. Johnson to fill the vacancy of the at-large MTFC board position.

Via approval of the consent agenda, the Commission unanimously approved the MTFC Board of Directors' election as presented.

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PLANT MIX OIL MAT MATERIAL CONTRACT

On behalf of the Director, Frank Abart, General Services Director, noted that the purchase of plant mix oil mat material would exceed the \$200,000 maximum authority extended to the staff for purchases. In keeping with the results of the competitive sealed bid process, he recommended the Commission authorize the Director, Chief Operating Officer, Chief Engineer, Director of Administrative Services, or General Services Director, to execute ten contracts needed to provide plant mix oil mat material statewide at each of the District locations with a cost of approximately \$3,129,533.08. These contracts are valid until August 2003.

Via approval of the consent agenda, the Commission unanimously approved the above recommendation.

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AGGREGATE CONTRACT

On behalf of the Director, Frank Abart, General Services Director, noted that the purchase of aggregate would exceed the \$200,000 maximum authority extended to the staff for purchases. In keeping with the results of the competitive sealed bid process, he recommended the Commission authorize the Director, Chief Operating Officer, Chief Engineer, Director of

Administrative Services, or General Services Director, to execute the 37 contracts needed to provide aggregate material statewide at each of the District locations with a cost of approximately \$1,193,398.50. These contracts are valid until June 6, 2003.

Via approval of the consent agenda, the Commission unanimously approved the above recommendation.

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**AWARD OF CONTRACTS ON FEDERAL-AID AND
STATE PROJECTS, BID OPENING OF MARCH 21, 2003**

On behalf of the Director, Diane Heckemeyer, State Design Engineer, stated that bids for road and bridge improvement projects had been received on March 21, 2003.

Ms. Heckemeyer presented a tabulation of the bids received on all projects and recommended awards be made to the lowest responsive and responsible bidder noted below. She also recommended the bid of Southard Paving Co., Inc., on Call 612 be declared non-responsive because the company did not incorporate an addendum.

<u>Route County Project</u>	<u>Bid Amount Plus 3% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
Call 101			
BB	\$680,599.44	\$755.80	Columbia Curb & Gutter, Inc.
Clinton			Columbia, MO
J1S0810			
Call 102			
6	2,260,500.42	1,144.60	Norris Asphalt Paving Co.
Daviess			Ottumwa, IA
JP0760C			
Call 103			
HH	554,605.20		Bestgen, Inc.
Caldwell			St. Joseph, MO
J1S0575			

Route County Project	<u>Bid Amount Plus 3% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
Call 201 N Schuyler J2S0467	1,011,066.19	656.10	Sparks & Wiewel Construction Quincy, IL
Call 202 63 Macon J2P0485B	925,839.91		Emery Sapp & Sons, Inc. Columbia, MO
Call 203 65 Carroll J2P0714	397,696.81	1,103.90	APAC-Missouri, Inc. Columbia, MO
Call 301 KK Audrain J3S0631	770,842.92	152.89	Harry H. Houf and Sons Contractors, Inc. Mexico, MO
Call 302 C Lewis J3S0452	798,463.74	449.46	Bleigh Construction Company Hannibal, MO
Call 303 E Shelby J3S0608	444,240.92	435.52	Bleigh Construction Company Hannibal, MO
Call 403 291 Jackson J4P1513	765,810.87	755.80	Musselman and Hall Contractors, LLC Kansas City, MO
Call 404 35 Jackson J4I1351	1,146,544.23	1,001.45	L. G. Barcus and Sons, Inc. Kansas City, KS
Call 405 13 Lafayette J4P1102J	4,675,950.27	20,506.40	Emery Sapp & Sons, Inc. Columbia, MO

Route County Project	<u>Bid Amount Plus 3% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
Call 406 13 Ray J4P1102H	6,075,487.65	357.22	Hilty Quarries, Inc, Clinton, MO
Call 601 D St. Louis J6S1537 D St. Louis J6S1622	5,562,000.00	2,554.40	Pace Construction Company, LLC St. Louis, MO
Call 603 141 and 55 St. Louis J6P1656	161,028.18		ATK Safety Supply, Inc. Cedar Hill, MO
Call 604 64 St. Louis City J6I1517	1,825,416.33	755.10	Kozeny-Wagner, Inc. Arnold, MO
Call 605 30 Jefferson J6P1551	613,080.72		R. V. Wagner, Inc. St. Louis, MO
Call 606 115, 180 and D St. Louis J6P1639	59,687.47	163,000.00	Gerstner Electric, Inc. Fenton, MO
Call 607 366 St. Louis City J6S1611 231 St. Louis J6S1619	4,719,837.04	377.90	Pace Construction Company, LLC St. Louis, MO

Route County Project <u>Call 608</u>	<u>Bid Amount Plus 3% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
100 Franklin J6P1655 100 Franklin J6S1587 100 Franklin J6S1557	7,325,388.93	1,037.40	Chester Bross Const. Co./ C.B. Equipment, Inc. Hannibal, MO
Call 609 115 St. Louis J6P1618 180 St. Louis J6S1490 U St. Louis J6S1623	6,592,000.00	828.10	Pace Construction Company, LLC St. Louis, MO
Call 611 BB Franklin J6L0401A YY Franklin J6L0401B AJ Franklin J6L0401C KK Franklin J6L0401D A Franklin J6L0401E 47 O.R. Franklin J6L0401F	1,101,427.97		APAC-Missouri, Inc. Columbia, MO

Route County Project	<u>Bid Amount Plus 3% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
Call 612			
94	802,471.04		APAC-Missouri, Inc.
St. Charles			Columbia, MO
J6L0402A			
N			
St. Charles			
J6L0402B			
Call 613			
70	1,368,023.63	252.40	Micro-Surfacing, Inc
St. Louis and St. Charles			St. Louis, MO
J6I1662			
Call 614			
Z	1,410,663.97	1,314.90	Chester Bross Const. Co./
St. Charles			C. B. Equipment, Inc.
J6S1480			Hannibal, MO
Z			
St. Charles			
J6L0327			
Call 701			
71	23,920,062.17	4,400.10	APAC-Missouri, Inc.
McDonald			Columbia, MO
J7P0601E			
Call 801			
60	481,748.24	800.00	Leo Journagan Construction
Webster			Company, Inc.
J8P0709			Springfield, MO
Call 901			
44	1,141,712.47		Jefferson Asphalt Company
Phelps			Jefferson City, MO
J9M0034			
Call 902			
44	368,764.43		N. B. West Contracting
Crawford			Company
J9M0035			Brentwood, MO

<u>Route County Project</u>	<u>Bid Amount Plus 3% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
Call 903 44 Pulaski and Phelps J9I0512	395,080.71		James Cape & Sons Company Racine, WI
Call 904 32 Texas J9P0263	3,662,786.14	1,626.00	Robertson Contractors, Inc. Poplar Bluff, MO
Call 905 60 Shannon and Carter J9P0511	465,310.38		James Cape & Sons Company Racine, WI
Call 906 H Pulaski J9S0500	5,167,110.55	1,081.32	Emery Sapp & Sons, Inc. Columbia, MO
Call X01 W Butler J0S0612	472,648.68	377.90	G and W Excavation, Inc. Advance, MO
Call X02 61 Perry J0S0790	4,704,618.91	555.90	Penzel Construction Company, Inc. Jackson, MO
Call X03 PP Butler J0S0599	56,782.87		R. L. Persons Construction, Inc. Poplar Bluff, MO
Call X04 34 Cape Girardeau J0U0598D	175,094.85		Premier Demolition, Inc. Cedar Hill, MO
Totals	<hr/> \$93,060,394.25	<hr/> \$206,280.56	

Construction speed limits conform to the standard work zone speed limits shown on Standard Drawing No. 616.10 as approved by the Commission.

After consideration and upon motion by Commissioner Michie, seconded by Commissioner Schramm, the Commission declared the bid of Southard Paving Co., Inc., on Call 612 non-responsive, unanimously awarded the projects to the lowest responsive and responsible bidder, as recommended and noted above, and authorized an additional three percent of the contract amount for contingencies. The Commission also approved the allocation of funds covering the non-contractual costs included in the various projects, as indicated, and authorized execution of the necessary contracts by the Director, Chief Engineer, or Chief Operating Officer. Commissioner Orscheln abstained from voting on Call Nos. 203, 406, 608, 611, 906, and X02.

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ROADWAY LOCATION AND DESIGN APPROVAL

On behalf of the Director, District Engineers informed the Commission that preliminary plans and exhibits for the following projects had been made available to the public.

**Route A, Nodaway County
0.5 Mile East of Route ZZ
Job No. J1S0827
No Public Hearing Held**

This proposed improvement includes grading, drainage, pavement and shoulder widening for the replacement of a double box culvert. These improvements will be done on the existing alignment and grades. Route A will be closed for approximately two months during construction with traffic detoured over existing routes. Adequate signing will be provided and motorists will be advised through public information channels. This project is 0.1 mile in length.

Mr. Dave Ahlvers, District Engineer, District 1, recommended approval of the proposed improvement as advertised for a public hearing.

**Route I-70, St. Louis City
I-70 at the Poplar Street Bridge
Job No. J6I0738**

Public Hearing Held February 19, 2003

This proposed improvement will replace pavement on each of the four ramps to the Poplar Street Bridge. This improvement will require each ramp to be closed for 10 to 18 days. However, only one ramp will be closed at any one time. Traffic will be maintained over detours for each ramp closure. Two detour routes have been set up and approved by the City of St. Louis. Adequate signing will be provided and motorists will be advised through public information channels. This project is 0.2 mile in length.

Mr. Ed Hassinger, District Engineer, District 6, recommended approval of the proposed improvement as presented at the public hearing.

**Route 13, Greene County
Intersection with Route 744 (Kearney Street)
Job No. J8P0697**

Public Hearing Held February 6, 2003

This proposed improvement will provide grading and paving to provide dual left-turn lanes, addition of right-turn lanes, sidewalks, and signal and lighting modifications on all four approaches of the intersection. Traffic will be maintained on the existing roadway with temporary lane closures. This project is 0.2 mile in length.

Mr. Dale Ricks, District Engineer, District 8, recommended approval of the location and design as presented at the public hearing.

After full consideration of the of the favorable and adverse economic, social and environmental effects of the recommended locations and designs, the Commission, via approval of the consent agenda, unanimously found and determined the recommended locations and designs would best serve the interest of the public and approved the recommendations. Commissioner McKenna abstained from voting on Job No. J6I0738, I-70, St. Louis City.

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**REPORT AND RECOMMENDATION REGARDING
NOTICE OF AMENDED RULEMAKING FOR OUTDOOR ADVERTISING,
7 CSR 10-6.010 THROUGH 7 CSR 10-6.100**

On behalf of the Director, Terry Sampson, Right of Way Director, recommended approval of amended Outdoor Advertising Rules 7 CSR 10-6.010 through 7 CSR 10-6.100 to (1) be consistent with legislation that became effective on August 28, 2002, House Bill 1196/House Bill 1508 affecting Missouri Statute Sections 226.540, 226.550, 226.573, 226.580 and 226.585 (2) be in compliance with federal regulations as they pertain to handling non-conforming signs and voiding permits, and (3) reflect the current organizational structure of MoDOT, particularly as it pertains to those responsible for outdoor advertising functions.

Via approval of the consent agenda, the Commission unanimously approved the recommendation and authorized the Director, Chief Engineer, or Chief Operating Officer to execute any document appropriate to initiate this rulemaking process.

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**EXCHANGE OF PROPERTY,
ROUTE 9, PLATTE COUNTY**

On behalf of the Director, Sabin Yanez, District 4 Engineer, recommended the Commission convey existing Route 9 and its associated right of way located south of Barry Road, east of the west right of way line of existing Route 9 and north of 83rd Terrace in Kansas City, Platte County, to the City of Kansas City. In exchange, Kansas City will construct “relocated” Route 9 and convey it to the Commission. The Commission will retain the maintenance obligation on the old roadway section until relocated Route 9 is constructed.

Via approval of the consent agenda, the Commission unanimously approved the exchange of right of way.

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RATIFICATION OF APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Diane Heckemeyer, State Design Engineer, recommended the Commission ratify the approval by the Chief Engineer of the following right of way plans, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
St. Louis	180	J6U0806	October 6, 1989 (4 th Amended)
Franklin	O	J6S0429	October 4, 1991 (4 th Amended)
Jasper	71B	J7S0709	October 5, 2001 (1 st Amended)
Pemiscot	412	J0P0600E	April 6, 2001

In accordance with Section 227.050 RSMo, the Commission, via approval of the consent agenda, approved the right of way plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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-- REPORTS --

DESIGN/BRIDGE ENGINEERING CONSULTANTS

Diane Heckemeyer, State Design Engineer, presented the Design/Bridge Engineering Consultants Report as of February 28, 2003. This report shows the consultants who are performing work for MoDOT, the number of contracts held by each consultant, and the total dollar value of these contracts.

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MHTC DEBT MANAGEMENT POLICY

In May 2000, the Commission adopted the MHTC Debt Management Policy. The intent of the policy is to maintain top credit ratings on long-term debt issued by the Commission and to minimize borrowing costs. Reports were furnished to the Commission on the projected annual debt limit and obligations and MoDOT's program acceleration commitments. As of April 2003, the Commission is in compliance with its Debt Management Policy.

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FINANCIAL ACCOUNTABILITY REPORT, QUARTERLY REPORT

Mike Golden, Chief Financial Officer, submitted a Quarterly Financial Accountability Report for the period ending December 31, 2002.

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By unanimous vote of all members present, the meeting of the Commission was adjourned.

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